

In re Patent Application of
BARDWELL
Serial No. 10/081,870
Filed: FEBRUARY 22, 2002

REMARKS

Applicant thanks the Examiner for the thorough and careful examination of the present application, and for extending all courtesies during the telephonic interview of January 26, 2007.

Applicant has amended independent Claims 1, 10, 15, 21, and 29 to more clearly define over the prior art. Applicant has also amended dependent Claims 7, 20, 28, and 35 for consistency. Applicant submits that all claims are patentable and presents arguments and amendments herein supporting such patentability.

I. The Amended Claims

Amended independent Claim 1, for example, is directed to a method for storing biometric information on a token comprising a magnetic storage medium. The method comprises capturing a biometric image and generating therefrom digital pixel data for an array of image pixels and selecting a plurality of non-contiguous sets of image pixels from the array of image pixels. Each non-contiguous set of image pixels comprises a plurality of consecutive and collinear image pixels. Applicant has amended Claim 1 to recite the method includes processing respective sets of digital pixel data for the selected non-contiguous sets of image pixels and storing the processed sets of digital pixel data for the selected non-contiguous sets of image pixels on the magnetic storage medium of the token. Support for this amendment is found on page 19, line 19 through page 22, line 9 and in Figures 10 & 12 of the present application.

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Independent Claim 10 is directed to a method of regulating the use of a token similar to Claim 1, and has been similarly amended. Independent Claim 15 is similar to Claim 10 but includes recitations for fingerprint enrollment and verification, and has been similarly amended. Independent Claim 21 is a system counterpart to Claim 15, and has been similarly amended. Independent Claim 29 is a device counterpart to Claim 10, and has been similarly amended.

II. The Claims Are Patentable

The Examiner rejected independent Claims 1, 10, 15, 21, and 29 over the Abtahi et al. patent. Abtahi et al. discloses a magnetic strip card fingerprint verification system that uses a standardized fingerprint feature template library for identification purposes. (Col. 5, lines 55-61). The system verifies that the card user is the authorized card owner by matching portions of the scanned image of the card user's fingerprint to the unique code which has been assigned to the card owner and encoded on the card's magnetic strip. (Cols. 7-8). The unique code is generated during an enrollment procedure that first scans the entire card owner's fingerprint image.

Overlapping portions of the scanned fingerprint image are compared to each 16x16 pixel fingerprint feature template (template) contained in the feature template library to determine if any template provides an accurate approximation of that portion of the card owner's fingerprint image. If an accurate template is found, the feature template library reference number for the template and its location in

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the fingerprint image of the card owner are stored onto the magnetic strip card. (Col. 10, line 66 through Col. 11, line 43).

Independent Claim 1 has been amended to recite processing respective sets of digital pixel data for the selected non-contiguous sets of image pixels, and storing the processed sets of digital pixel data for the selected non-contiguous sets of image pixels on the magnetic storage medium of the token. Quite differently, Abtahi et al. discloses that the feature template library reference number for the template and its location in the fingerprint image of the card owner are stored onto the magnetic strip card. (Col. 10, line 66 through Col. 11, line 36). Abtahi et al. does not disclose this feature of amended independent Claim 1. Indeed, Abtahi et al. teaches away from the claimed invention. Therefore, for this reason alone, amended independent Claim 1 is patentable over the prior art. Amended independent Claims 10, 15, 21, and 29 now include similar recitations and are also patentable for the same reason.

Applicant also respectfully submits that in stark contrast to Abtahi et al., independent Claims 1, 10, 15, 21, and 29 recite capturing a biometric image and selecting a plurality of non-contiguous sets of image pixels from the array of image pixels. Although Abtahi et al. discloses scanning a fingerprint image of the user, the portions of the fingerprint image depicted in Figure 11 and cited by the Examiner as teaching the "plurality of non-contiguous sets" recitation do not relate to the scanned fingerprint image. These portions are templates from the feature template

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library. (Col. 8, lines 24-26 & Col. 10, lines 29-48). These templates approximate the card owner's fingerprint at certain positions and are compared to the scanned fingerprint image of the card user. Accordingly, for this reason as well, independent Claims 1, 10, 15, 21, and 29 are patentable.

Furthermore, independent Claims 1, 10, 15, 21, and 29 also recite a plurality of non-contiguous sets of image pixels from the array of image pixels. In Abtahi et al., the templates approximate areas of the card owner's fingerprint image, and these approximated portions of the card owner's fingerprint image overlap and are contiguous. (Col. 11, lines 1-5). Hence, the templates approximate overlapping contiguous portions of the card owner's fingerprint image. These portions of the card owner's fingerprint are simply not a plurality of non-contiguous sets of image pixels from the array of image pixels, as in the claimed invention. Accordingly, for this reason also, independent Claims 1, 10, 15, 21, and 29 are patentable.

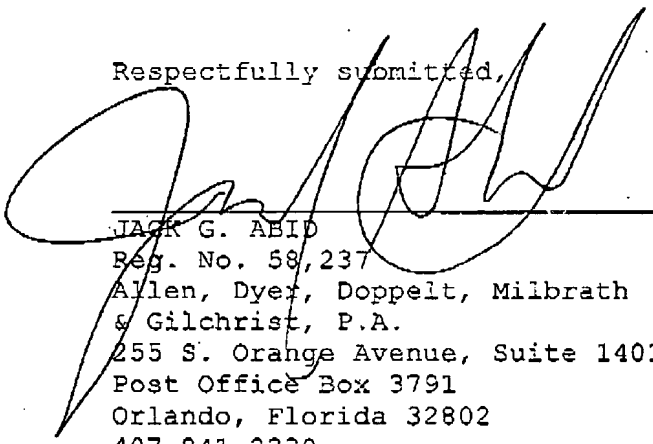
Accordingly, for all of the reasons discussed above, amended independent Claims 1, 10, 15, 21, and 29 are patentable. Their respective dependent claims, which recite yet further distinguishing features, are also patentable and require no further discussion herein.

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CONCLUSIONS

In view of the amendments to the claims and the arguments presented above, it is submitted that all of the claims are patentable. Accordingly, a Notice of Allowance is respectfully requested in due course. Should any minor informalities need to be addressed, the Examiner is encouraged to contact the undersigned at the telephone number listed below.

Respectfully submitted,



JACK G. ABID
Reg. No. 58,237
Allen, Dyer, Doppelt, Milbrath
& Gilchrist, P.A.
255 S. Orange Avenue, Suite 1401
Post Office Box 3791
Orlando, Florida 32802
407-841-2330
407-841-2343 fax
Attorney for Applicant

CERTIFICATE OF FACSIMILE TRANSMISSION

I HEREBY CERTIFY that the foregoing correspondence has been forwarded via facsimile number 571-273-8300 to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 this 13th day of April, 2007.

